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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,183	06/13/2001	Hiroyuki Amano	35.G2831	3995

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EXAMINER

DINH, MINH

ART UNIT PAPER NUMBER

2132

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/879,183	<b>Applicant(s)</b> AMANO, HIROYUKI	
	<b>Examiner</b> Minh Dinh	<b>Art Unit</b> 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

1. Claims 1-23 have been examined.

***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 21-23 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are not tangibly embodied as they are only software per se. It is suggested that the claimed subject matter "a computer-readable program for ..." be changed to "a computer program stored on a computer-readable medium including computer program code for ..."

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Czyszczewski et al (6,577,907).

a. Regarding claim 1, which is representative of claims 18 and 21, Czyszczewski discloses an information processing apparatus comprising:  
authentication means for performing authentication using information which specifies a user of said information processing apparatus (fig. 1, element 26; col. 11, lines 4-18); and

transmitting means for automatically adding sender information which corresponds to the information that specifies a user, which is used in the authentication, to transmission data and transmitting the transmission data (col. 11, lines 12-18).

b. Regarding claim 2, Czyszczewski further discloses that said transmitting means adds the sender information to a cover page of the transmission data (col. 11, lines 12-18).

c. Regarding claim 3, Czyszczewski further discloses that the cover page is registered in advance in said information processing apparatus (col. 9, lines 38-54); and  
said transmitting means automatically adds the cover page to the transmission data (col. 11, lines 12-18).

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d. Regarding claim 4, Czyszczewski further discloses that the use of the cover page, which is registered in advance, is restricted based on the information which specifies the user (col. 9, lines 38-54; col. 11, lines 12-18).

e. Regarding claims 5-6, Czyszczewski further discloses:  
connecting means for establishing a connection with a communication apparatus (col. 2, lines 57-64; col. 4, lines 5-9);

storing means for storing a program for transmitting the transmission data using said communication apparatus (col. 10, lines 21-27);

wherein said authentication means performs the authentication in order to determine whether the user of said information processing apparatus is authorized to use the program or to establish a connection with said communication apparatus (fig. 1, element 26; col. 11, lines 12-18).

f. Regarding claims 7-8, Czyszczewski further discloses that said communication apparatus comprises a facsimile machine (col. 4, lines 5-9).

g. Regarding claims 9-10, Czyszczewski further discloses that said communication apparatus comprises a server on a network (figures 4 and 5).

h. Regarding claim 11, which is representative of claims 19 and 22, Czyszczewski discloses an information processing apparatus comprising:

storing means for storing second information corresponding to first information, the first information specifying a user of another information processing apparatus (col. 9, lines 38-54; col. 11, lines 12-18);

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receiving means for receiving the first information and transmission data transmitted from the other information processing apparatus (fig. 1, element 26; col. 11, lines 4-18); and

transmitting means for adding the second information corresponding to the first information received by said receiving means to the transmission data and transmitting the transmission data (col. 11, lines 12-18).

i. Regarding claim 12, Czyszczewski further discloses that said transmitting means adds a cover page to the transmission data and thereafter transmits the transmission data (col. 11, lines 12-18).

j. Regarding claim 13, Czyszczewski further discloses that said transmitting means adds the second information to the cover page (col. 9, lines 38-54).

k. Regarding claim 14, Czyszczewski further discloses that said receiving means receives third information which specifies the cover page; and said transmitting means adds the cover page specified by the third information to the transmission data (col. 9, lines 38-54).

l. Regarding claim 15, which is representative of claims 20 and 23, Czyszczewski discloses an information processing apparatus comprising:

determining means for determining whether a user of said information processing apparatus is authorized to transmit data using a communication apparatus connected to said information processing apparatus (fig. 1, element 26; col. 9, lines 38-54; col. 11, lines 12-18); and

transmitting means for transmitting the data, which is to be transmitted from said communication apparatus, to said communication apparatus in accordance with the determination by said determining means (col. 11, lines 4-18).

m. Regarding claim 16, Czyszczewski further discloses storing means for storing a program for transmitting data a using said communication apparatus (col. 10, lines 21-27); wherein said determining means determines whether the user of said information processing apparatus is authorized to use the program stored in said storing means (fig. 1, element 26; col. 9, lines 38-54; col. 11, lines 12-18); and said transmitting means uses the program and transmits the data, which is to be transmitted from said communication apparatus, to said communication apparatus in accordance with the determination by said determining means (col. 11, lines 4-18).

n. Regarding claim 17, Czyszczewski further discloses that said communication apparatus is connected through a management device for managing a network; and said determining means performs the determination based on information from said management device (fig. 5).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Le Corre et al, (5,555,307), discloses a device and process for securing fax transmissions.

Mandelbaum et al, (5,552,897), discloses a secure communication apparatus.

Reifman et al, (5,438,433), discloses a system and method for facsimile cover page storage and use.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dinh whose telephone number is 571-272-3802. The examiner can normally be reached on Mon-Fri: 10:00am-6:30pm.

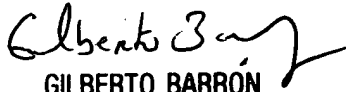
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MD

Minh Dinh  
Examiner  
Art Unit 2132

MD  
12/28/04

  
GILBERTO BARRÓN  
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